

REMARKS

Reconsideration and allowance of the subject application are respectfully solicited.

Claims 44 through 62 are pending, with Claims 44, 45, 46, and 52 being independent. Claims 46 and 52 have been amended. Claims 54 through 62 have been added.

Claims 44 through 52 were variously rejected under the judicially-created doctrine of non-statutory obviousness-type double patenting over Claims 1 through 11 of U.S. Patent No. 5,869,177 (Yoshino, et al. '177), Claims 1 through 14 of U.S. Patent No. 5,800,916 (Yoshino, et al. '916), Claims 1 through 18 of U.S. Patent No. 5,851,654 (Yoshino, et al. '654), Claims 1 through 29 of U.S. Patent No. 5,846,647 (Yoshino, et al. '647), Claims 1 through 23 of U.S. Patent No. 5,962,124 (Yoshino et al. '124), or Claims 1 through 11 of U.S. Patent No. 5,635,291 (Yoshino et al. '291), taken alone or in combination with U.S. Patent No. 4,360,449 (Oberlander, et al.). All rejections are respectfully traversed, and are submitted to have been obviated by the filing herewith of six Terminal Disclaimers in the subject application that respectively refer to the Yoshino, et al. patents.

Claims 46 and 50 through 52 were rejected under 35 U.S.C. § 103 over pages 1 through 6 and 44 of Applicants' own specification. Claims 46 through 52 were rejected under 35 U.S.C. § 112, 2nd paragraph, as being indefinite. All rejections are respectfully traversed, and are submitted to have been obviated by the amendment of Claims 46 and 52

in keeping with the kind suggestion at page 7 of the Official Action that the rejections could be overcome by incorporating language indicating the position of the titanium oxide. It is further respectfully submitted that there has been no showing of any indication of motivation that would lead one having ordinary skill in the art to arrive at the claimed invention. Also, breadth does not constitute indefiniteness.

The dependent claims are also submitted to be patentable because they set forth additional aspects of the present invention and are dependent from independent claims discussed above. Therefore, separate and individual consideration of each dependent claim is respectfully requested.

This Amendment After Final Rejection is an earnest attempt to advance prosecution and reduce the number of issues, and is believed to clearly place this application in condition for allowance. Furthermore, Applicants respectfully submit that a full appreciation of these amendments will not require undue time or effort given the Examiner's familiarity with this application. Moreover, this Amendment was not earlier presented because Applicants earnestly believed that the prior Amendment placed the subject application in condition for allowance. Accordingly, entry of this Amendment under 37 C.F.R. § 1.116 is respectfully requested.

Applicants submit that this application is in condition for allowance, and a Notice of Allowance is respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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